

REMARKS/ARGUMENTS

The specification has been amended as suggested by the Examiner. This close attention to detail is appreciated.

The claims have been amended to limit the noble metal oxide layer to a platinum oxide (PtOx) layer. Support is found in, e.g., original Claim 5 and throughout the specification where a platinum oxide (PtOx) layer is described as preferred. See, e.g., specification page 9, lines 15-20:

In addition, it is preferable that platinum oxide (PtOx) is included in the noble metal oxide layer. In this case, it is the most preferable that substantially the whole of the noble metal oxide layer is composed of platinum oxide (PtOx), but other materials or impurities mixed unavoidably may be contained. When platinum oxide (PtOx) is used as the material of the noble metal oxide layer, excellent signal characteristics and sufficient durability can be obtained.

The amendment to Claim 6 removes improper multiple dependency. New Claim 15 repeats Claim 6, dependent on Claim 4. No new matter has been entered.

As noted above, the claims have been limited such that the noble metal oxide layer is now required to be a platinum oxide (PtOx) layer. None of the references applied against the claims suggest such a platinum oxide (PtOx) layer. For example, Fuji is cited as disclosing an AgOx layer only, and no other reference shows a platinum oxide (PtOx) layer as claimed. Accordingly, the rejection for obviousness should be withdrawn.

Finally, and with regard to the double patenting rejections, application Serial Nos. 10/563,012 10/565,582 and 10/565,679 constitute later-filed applications, and thus the double patenting rejection is properly held in abeyance in this earlier-filed case. Once claims in the

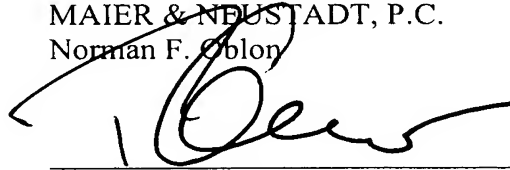
Application No. 10/562,901  
Reply to Office Action of September 15, 2008

present application are allowed, the determination whether a double patenting rejection would be appropriate can be made in the later-filed cases.

Accordingly, and in view of the above amendments and remarks Applicants respectfully request the withdrawal of all outstanding rejections and the passage of this case to Issue.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'R. Treanor', is written over a horizontal line.

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